

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:
Kenneth Lee Knoll
Susan Marie Knoll

**MODIFIED
CHAPTER 13 PLAN**

Dated August 25, 2004

Case No. 04-32810

DEBTOR
*In a joint case,
debtor means debtors in this plan.*

1. PAYMENTS BY DEBTOR -

- a. As of the date of this plan, the debtor has paid the trustee \$ _____.
- b. After the date of this plan, the debtor will pay the trustee \$ 500.00 per Month for 60 months, beginning within 30 days after the filing of this plan for a total of \$ 30,000.00.
- c. The debtor will also pay the trustee _____.
- d. The debtor will pay the trustee a total of \$ 30,000.00 [line 1(a) + line 1(b) + line 1(c)].

2. PAYMENTS BY TRUSTEE - The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 3,000.00 (line 1(d) x .10) or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

3. PRIORITY CLAIMS - The trustee shall pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates only. the trustee will pay the amounts actually allowed.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Attorney Fees	\$ <u>1,035.00</u>	\$ <u>103.50</u>	<u>1</u>	<u>10</u>	\$ <u>1,035.00</u>
b. Dakota County Property Tax	\$ <u>1,257.50</u>	\$ <u>125.75</u>	<u>11</u>	<u>10</u>	\$ <u>1,257.20</u>
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. _____	\$ _____	\$ _____	_____	_____	\$ _____
e. TOTAL					\$ <u>2,292.50</u>

4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT - The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. _____
- b. _____

5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] - The trustee will cure defaults on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. <u>Ameritrust</u>	\$ <u>4,107.69</u>	\$ <u>205.39</u>	<u>1</u>	<u>20</u>	\$ <u>4,107.69</u>
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ <u>4,107.69</u>

- 6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322(b)(5)]** - The trustee will cure defaults on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimated only. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
b. _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
c. _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
d. TOTAL					\$ _____

- 7. OTHER SECURED CLAIMS [§ 1325(a)(5)]** - The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim with an interest rate of 8% per annum. The creditor's allowed secured claim shall be the creditor's allow claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a).

<i>Creditor</i>	<i>Claim Amount</i>	<i>Secured Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. <u>Chrysler Financial</u>	\$ <u>20,473.00</u>	\$ <u>16,775.00</u>	\$ <u>118.00 / 445.00</u>	<u>1/21</u>	<u>53</u>	\$ <u>19,349.52</u>
b. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL						\$ <u>19,349.52</u>

- 8. SEPARATE CLASS OF UNSECURED CREDITORS** - In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows: _____

- a. The debtor estimates that the total claims in this class are \$ _____.
- b. The trustee will pay this class \$ _____.

- 9. TIMELY FILED UNSECURED CREDITORS** - The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ 1,250.29 [line 1(d) minus lines 2, 3(e), 5(d), 7(d), and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$ 3,698.00.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$ 29,132.72.
- c. Total estimated unsecured claims are \$ 32,830.72 [line 9(a) + line 9(b)].

- 10. TARDILY-FILED UNSECURED CREDITORS** - All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8 or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

- 11. OTHER PROVISIONS** - The trustee may distribute funds not specifically set forth herein at her discretion. Property tax claims shall be paid per the filed claim, whether filed as secured or priority. Funds designated for municipal water, sewer and garbage claims may be distributed to the County where the municipality is, if these claims are part of the County's claim.

12. SUMMARY OF PAYMENTS -

Trustee's Fee [Line 2]	\$ <u>3,000.00</u>
Priority Claims [Line 3(e)]	\$ <u>2,292.50</u>
Home Mortgage Defaults [Line 5(d)]	\$ <u>4,107.69</u>
Long-Term Debt Defaults [Line 6(d)]	\$ <u>0.00</u>
Other Secured Claims [Line 7(d)]	\$ <u>0.00</u>
Separate Class [Line 8(b)]	\$ <u>19,349.52</u>
Unsecured Creditors [Line 9]	\$ <u>1,250.29</u>
TOTAL [must equal Line 1(d)]	\$ <u>30,000.00</u>

Insert Name, Address, Telephone and License Number of Debtor's Attorney:

Barbara N. Nevin, (79261)
Milavetz, Gallop & Milavetz, P.A.
6500 France Avenue South
Edina, Minneapolis, 55435
(952) 920-6165

Signed /s/ Kenneth Lee Knoll
DEBTOR

Signed /s/ Susan Marie Knoll
DEB TOR (if joint case)

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re: Kenneth Lee Knoll,
Susan Marie Knoll.

Case No: 04-32810

NOTICE OF HEARING

TO: Debtors, The Chapter 13 Trustee, the U.S. Trustee, and other parties in interest.

YOU WILL PLEASE TAKE NOTICE, that on the 26th day of August, 2004, at 10:30 a.m. or as soon after a counsel can be heard, before the U. S. Bankruptcy Court, 310 Plymouth Bldg., 12 South 6th Street, Minneapolis, MN 55402. The Debtors move the Court for the relief requested below and gives notice of hearing.

1. Any objection to the Plan must be filed and delivered not later than August 25th, 2004, which is 24 hours before the time set for the hearing, or filed and served by mail not later than August 22, 2004, which is three days before the time set for the Hearing.

2. The Petition commencing this Chapter 13 case was filed May 10, 2004. The case is now pending in this Court. This Court has jurisdiction over this Hearing pursuant to 28 U.S.C. §§1334 and 157(a), Local Rule 201, and applicable rules. This is a core proceeding.

3. Debtors request the confirmation of the modified plan dated August 25, 2004. A copy of the plan is annexed hereto.

4. Plan will satisfy all secured creditors.

WHEREFORE, the undersigned moves this Court for an Order confirming the Modified Chapter 13 Plan and for such other relief as may be just and equitable.

MILAVETZ, GALLOP & MILAVETZ, P.A.

Dated: August 25, 2004

/s/ Barbara N. Nevin

Barbara N. Nevin (79261)
Milavetz, Gallop & Milavetz, P.A.
6500 France Avenue South
Edina, MN 55435
(952) 920- 6165

AFFIDAVIT

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Darci-Jo King, being duly sworn, says that she is an employee of Milavetz, Gallop & Milavetz, P.A., 6500 France Avenue South, Edina, Minnesota, 55435.

That on the 25th day of August, 2004, a copy of Notice of Hearing, Modified Chapter 13 Plan, and Amended Schedule A, B, and C was mailed by first class mail, postage prepaid, to the following persons at the addresses shown:

See attached Service List

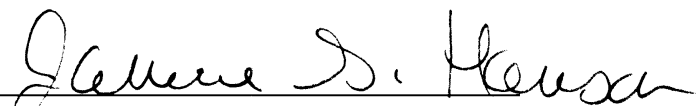
MILAVETZ, GALLOP & MILAVETZ, P.A.



Darci-Jo King

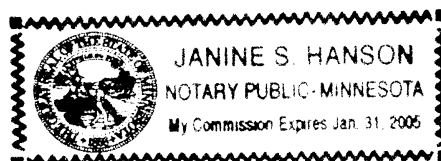
Subscribed and sworn to before me

this 25th day of August, 2004.



Notary Public

File No.: 32428



Allied Interstate, Inc.
P.O. Box 361774
Columbus, OH 43236

Balogh Becker, Ltd
4150 Olson Memorial Highway, Suite 200
Minneapolis, MN 55422-0804

Capital One
Customer Relations
P.O. Box 85015
Richmond, VA 23285-5015

Citi Bank
P.O. Box 769004
San Antonio, TX 78245-9004

Dakota County Treasury
1950 Highway 55
Hastings, MN 55033

Goodman Jewelers
P.O. Box 1799
Akron, OH 44309

Messerli & Kramer
3033 Campus Drive, Suite 250
Plymouth, MN 55441

NCB Management Services, Inc.
P.O. Box 1099
Langhorne, PA 19047

Retailers National Bank
Post Office Box 59231
Minneapolis, MN 55459-0231

Sherman Acquisition
P.O. Box 741148
Houston, TX 77274

United States Trustee
Us Courthouse Room 301
300 South 4th Street
Minneapolis, MN 55415

Ameriquest
P.O. Box 51382
Los Angeles, CA 90051-5682

Capital One
P.O. Box 85015
Richmond, VA 23285-5015

Chrysler Financial
P.O. Box 55000
Department 277001
Detroit, MI 48333

Citi Bank S.d., Na
P.O. Box 6500
Sioux Falls, SD 57117-6500

Discover Card
P.O. Box 15251
Wilmington, DE 19886-5251

Jasmine Z. Keller
Bankruptcy Trustee
12 South 6th Street, Suite 310
Minneapolis, MN 55402

Mrs Associates, Inc.
3 Executive Campus, Suite 400
Cherry Hill, NJ 08002

Providian
P.O. Box 660548
Dallas, TX 75266-0548

Sears Credit
13200 Smith Road
Cleveland, OH 44181

TSYS Total Debt Management Inc.
P.O. Box 6700
Norcross, GA 30091-6700

Viking Collections
P.O. Box 59207
Minneapolis, MN 55459

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Kenneth Lee Knoll
Susan Marie Knoll

SIGNATURE DECLARATION

Debtor(s).

Case No. 04-32810

____ PETITION, SCHEDULES & STATEMENTS
____ CHAPTER 13 PLAN
____ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
☒ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
☒ MODIFIED CHAPTER 13 PLAN
____ OTHER (Please describe: _____)

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date:

X Kenneth Lee Knoll
Signature of Debtor or Authorized Representative

Kenneth Lee Knoll
Printed Name of Debtor or Authorized Representative

X Susan Marie Knoll
Signature of Joint Debtor

Susan Marie Knoll
Printed Name of Joint Debtor